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8 *Attorney for Defendants*
9 *The Walt Disney Company; Disney Vacation*
10 *Club Hawaii Management Company, LLC;*
11 *Disney Vacation Development, LLC; and*
12 *Disney Parks, Experiences and Products, Inc.*

13 *(Additional counsel listed below)*

14 **UNITED STATES DISTRICT COURT**
15 **CENTRAL DISTRICT OF CALIFORNIA**

16 SCOTT THOMPSON, individually and
17 as a parent and guardian of his Minor
18 Child A.T., and DANIELLE
19 THOMPSON, individually and on
20 behalf of all others similarly situated,

21 Plaintiffs,

22 v.

23 THE WALT DISNEY COMPANY;
24 DISNEY VACATION CLUB HAWAII
25 MANAGEMENT COMPANY, LLC;
26 DISNEY VACATION
27 DEVELOPMENT, LLC; and DISNEY
28 PARKS, EXPERIENCES AND
PRODUCTS, INC.,

Defendants.

Case No.: 2:23-cv-09441-FMO-SK

**NOTICE OF DEFENDANTS’
MOTION TO DISMISS
PLAINTIFFS’ FIRST AMENDED
COMPLAINT**

Hearing Date: October 10, 2024

Time: 10:00 am

Judge: Hon. Fernando M. Olguin

Courtroom: 6D

NOTICE OF MOTION TO DISMISS

Thompson, et al. v. The Walt Disney Company, et al., No. 2:23-cv-09441-FMO-SK

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Disney Parks, Experiences and Products, Inc.
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1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE THAT on October 10, 2024, at 10:00 a.m., or as
3 soon thereafter as counsel may be heard, in the Courtroom of the Honorable
4 Fernando M. Olguin, Courtroom 6D of the United States District Court for the
5 Central District of California, located at 350 W. 1st Street, Los Angeles, CA
6 90012, Defendants The Walt Disney Company; Disney Vacation Club Hawaii
7 Management Company, LLC; Disney Vacation Development, LLC; and Disney
8 Parks, Experiences and Products, Inc. will and hereby do move to dismiss the
9 claims in the First Amended Class Action Complaint filed by Plaintiffs Scott
10 Thompson *et al.* under the California Unfair Competition Law (UCL), California
11 Consumer Legal Remedies Act (CLRA), Florida Deceptive and Unfair Trade
12 Practices Act, Hawaii Revised Statutes § 480-2, *et seq.*, and Missouri
13 Merchandising Practices Act with prejudice pursuant to Federal Rule of Civil
14 Procedure 12(b)(1) for lack of subject matter jurisdiction and pursuant to Federal
15 Rules of Civil Procedure 12(b)(6) and 9(b) for failure to state a claim upon which
16 relief can be granted.

17 This Motion is based on this Notice of Motion; the supporting Memorandum
18 of Law; the pleadings, papers, filings, and record in this action; and on such other
19 evidence or argument as may be presented at or before the hearing.

20 This Motion is made following the conference of counsel pursuant to Local
21 Rule 7-3, which took place on August 20, 2024.

22 A proposed order is also being lodged for the Court's consideration.

23 Respectfully submitted,

24 Dated: August 27, 2024 /s/ Alan Schoenfeld
25 ALAN SCHOENFELD
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28 RYAN CHABOT

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